

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

DONNA CURLING, et al.

Plaintiffs

vs.

CIVIL ACTION FILE  
NO. 1:17-CV-2989-AT

BRAD RAFFENSPERGER, et al.

Defendants

VIDEOTAPED ZOOM DEPOSITION OF  
REBECCA NASH SULLIVAN, ESQ.

November 5, 2021  
2:03 P.M.

Lee Ann Barnes, CCR-1852B, RPR, CRR, CRC

1 APPEARANCES OF COUNSEL

2 (All appearances via Zoom)

3

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3 On behalf of Defendants Fulton County Voter  
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9 ALSO PRESENT:

10 Bryan Robinson, Videographer  
Marilyn Marks, Coalition for Good Governance

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1 INDEX OF EXAMINATION

2 WITNESS: REBECCA SULLIVAN, ESQ.

3 EXAMINATION  
By Ms. Elson

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## INDEX TO EXHIBITS

Plaintiffs' Exhibit	Description	Page
Exhibit 1	2/28/2020 Meeting Minutes of the State Election Board, No Bates Numbers	63
Exhibit 2	Transcript from the State Election Board Hearing on January 22, 2020, Bates Nos. STATE-DEFENDANTS-00156152 through -6241	77

(Exhibits attached to transcript.)

1           Deposition of REBECCA NASH SULLIVAN, ESQ.  
2                               November 5, 2021

3                       (Reporter disclosure made pursuant to  
4           Article 8.B of the Rules and Regulations of the  
5           Board of Court Reporting of the Judicial  
6           Council of Georgia.)

7                       VIDEOGRAPHER: We are on the record. The  
8           time is 2:03 p.m. on -- on November 5, 2021,  
9           and this is the beginning of the video  
10          deposition for Rebecca Sullivan.

11                      Would counsel present please identify  
12          themselves for the record.

13                      MS. ELSON: This is Hannah Elson. I'm  
14          here representing Curling plaintiffs, from  
15          Morrison & Foerster. I'm joined by my  
16          colleague Veronica Ascarrunz also from  
17          Morrison & Foerster.

18                      MR. MILLER: This is Carey Miller here on  
19          behalf of the State defendants. We'll be  
20          defending this deposition on behalf of my  
21          client State Election Board member Rebecca  
22          Sullivan. I don't believe we have any others  
23          in the room at the moment from our side.

24                      MS. ROWAN: This is Nancy Rowan from the  
25          Office of the County Attorney here on behalf of

1 Fulton County board of -- of registration and  
2 election and Richard Barron.

3 MS. MARKS: This is Marilyn Marks, client  
4 rep- -- excuse me, plaintiff representative  
5 Collation for Good Governance.

6 VIDEOGRAPHER: Thank you. Will the court  
7 reporter please swear in the witness.

8 REBECCA SULLIVAN, ESQ., having been first duly  
9 sworn, was examined and testified as follows:

10 EXAMINATION

11 BY-MS. ELSON:

12 Q. Well, thanks for being here today,  
13 Ms. Sullivan.

14 Would you mind stating your full name and  
15 address for the record?

16 A. Rebecca Nash Sullivan, 2560 Blake Lane  
17 Snellville, Georgia, 30078. That is my home  
18 address.

19 VIDEOGRAPHER: I'm sorry. Her audio is  
20 pretty low.

21 COURT REPORTER: It is, yes.

22 MR. MILLER: Okay. Give me just one  
23 second. I think I'll try and adjust the mic.

24 VIDEOGRAPHER: Hannah, do you want to go  
25 off record?

1 MS. ELSON: Sure. That's fine with me.

2 VIDEOGRAPHER: Let's do that. Off record

3 at 2:05.

4 (Off the record.)

5 VIDEOGRAPHER: We're back on the record at

6 2:07.

7 BY MS. ELSON:

8 Q. All right. So today -- do you --

9 MS. ELSON: Does anyone hear an echo?

10 Okay.

11 BY MS. ELSON::

12 Q. Today I will be asking you a series of  
13 questions about this litigation.

14 Before we do that, do you understand that  
15 you're under oath today?

16 A. I do.

17 Q. And that oath means that you understand  
18 your answers today will be the truth?

19 A. Yes.

20 Q. If you answer a question, I'm going to  
21 assume you understood the question.

22 Is that okay with you?

23 A. Yes.

24 Q. Is there any reason why you would be  
25 unable to give full and complete testimony today?



1 A. No.

2 Q. And I just want to note that we should try  
3 and not talk over each other because if we're both  
4 talking at the same time, the court reporter can't  
5 take down a clean record.

6 Does that make sense?

7 A. Understood.

8 Q. All right. And because we're in this  
9 remote environment, do you have any windows open on  
10 your computer besides this Zoom window and the  
11 Exhibit Share?

12 A. No.

13 Q. And can I confirm that during the course  
14 of the deposition today, you will not open any  
15 additional windows besides those?

16 A. Yes, you can confirm that. I will not.

17 Q. Okay. If you need a break at any point,  
18 just let me or Carey know. I just ask that you  
19 answer any questions pending before taking the  
20 break.

21 A. Sure.

22 Q. All right. Where did you go to college?

23 A. The University of Georgia.

24 Q. And what did you get a degree in?

25 A. Political science.

1 Q. And you went to law school; correct?

2 A. I did.

3 Q. And you received a JD?

4 A. Yes.

5 Q. What is your current employment?

6 A. I am general counsel and assistant  
7 commissioner of the Georgia Department of  
8 Administrative Services.

9 Q. Okay. How long have you been in that  
10 position for?

11 A. A little over seven years.

12 Q. Do you deal with elections in that  
13 capacity?

14 A. No, I do not.

15 Q. And where were you working before the  
16 assistant -- the Georgia Department of  
17 Administrative Services?

18 A. The Political Law Group was the name of  
19 the firm at the time.

20 Q. Have you ever been involved, besides the  
21 State Election Board, in any other organizations  
22 that deal with elections?

23 A. Not that I'm aware of. Is there any  
24 specific organization you're talk- -- asking me  
25 about?

1 Q. No --

2 A. Okay.

3 Q. -- not that I know of.

4 Have you previously been deposed?

5 A. Yes.

6 Q. In what cases?

7 A. Fair Fight versus Raffensperger.

8 Q. Any other cases?

9 A. No.

10 Q. What did you do to prepare for the  
11 deposition today?

12 A. I met with counsel and reviewed some of  
13 our State Election Board rules.

14 Q. Did you review documents besides those  
15 State Election Board rules?

16 A. Just materials provided by counsel.

17 Q. Did you collect documents to produce in  
18 this case?

19 A. I did.

20 Q. And where did you look for those  
21 documents?

22 A. On the email address that I use for the  
23 State Election Board.

24 Q. And what did you look for?

25 A. I looked for -- reviewed my email. I

1 looked for any emails that might be respon- --  
2 relevant to issues in this case.

3 Q. Okay. Have you seen the most recent  
4 complaint in this case? And that's titled the  
5 "Third Amend-" -- "The Third Amended Complaint."

6 A. I don't recall seeing that.

7 Q. What to your understanding is this  
8 litigation about?

9 A. It's about the use of ballot marking  
10 devices for Georgia elections.

11 Q. Has this case been discussed by the  
12 State Election Board?

13 A. It has likely been discussed in executive  
14 session --

15 Q. Do you recall what --

16 A. -- for -- for litigation updates by our  
17 counsel.

18 Q. Okay. And that would be Ryan Germany?

19 A. Ryan Germany would be included as well as  
20 the counsel -- outside counsel that represent us.

21 Q. I understand.

22 Have you personally discussed this case  
23 with anyone?

24 A. I don't believe so, outside our counsel.

25 Q. I didn't ask you this when you mentioned

1 the Fair Fight deposition before.

2 Were you deposed in that case in your  
3 capacity as a State Election Board member?

4 A. Yes.

5 Q. Okay. You are currently a member of the  
6 State Election Board; right?

7 A. Correct.

8 Q. When did you join the  
9 State Election Board?

10 A. I believe I was appointed in July of --  
11 July-ish 2013.

12 Q. And how were you appointed?

13 A. I was appointed by the Speaker of the  
14 Georgia House of Representatives.

15 Q. And why did you join?

16 A. I think it would be a good opportunity for  
17 public service.

18 Q. What was your familiar- -- what was your  
19 familiarity with Georgia elections prior to serving  
20 as a State Election Board member?

21 A. As a citizen, I'm generally familiar with  
22 elections. I had some experience when I was in the  
23 governor's office regarding legislation that was  
24 passed regarding voting rights, regarding voter IDs  
25 and, you know, just general knowledge of elections

1 through research.

2 Q. And was that position in the governor's  
3 office before your work with the Political Law  
4 Group?

5 A. Yes.

6 Q. What position did you hold there?

7 A. I held three different positions: Policy  
8 advisor, deputy executive counsel, and then  
9 executive counsel.

10 Q. What are the responsibilities of the  
11 State Election Board?

12 A. They're set forth in statute. There's a  
13 list of responsibilities, but generally to pass  
14 rules and regulations regarding the conduct of  
15 elections to ensure that they are fair and uniform,  
16 as well as to hear alleged violations of the  
17 election law or election rules and to determine  
18 whether or not there's probable cause that a  
19 violation has occurred.

20 Q. What types of potential violations does  
21 SEB hear about?

22 A. Any violation of the election law or  
23 election rules that we've passed.

24 Q. Do you -- let me start over.

25 Do you yourself have any particular

1 responsibilities in your position on the  
2 State Election Board?

3 A. I am the vice chair of the  
4 State Election Board, so I do preside over meetings  
5 when there is not a chair.

6 Q. Are you a member of any working groups or  
7 commissions on the SEB?

8 A. I am not.

9 Q. Are you familiar with Georgia's current  
10 ballot marking devices?

11 A. I am.

12 Q. Are you okay if I call those BMDs during  
13 today's deposition?

14 A. I am.

15 Q. Are you familiar with Georgia's previous  
16 election system?

17 A. Excuse me. Yes.

18 Q. Do you understand why Georgia switched  
19 from that previous election system to BMDs?

20 A. Well, the general assembly passed a law  
21 requiring the switch.

22 Q. Do you understand why that law was passed?

23 A. It's my understanding that to replace  
24 aging technology at the time.

25 Q. Did the State Election Board have a role

1 in choosing the election system that Georgia  
2 currently uses?

3 A. It did not.

4 Q. Do you have any concerns with the election  
5 system that Georgia currently uses?

6 A. I do not.

7 Q. Do you know whether any other states rely  
8 on BMDs for their elections?

9 A. I believe that other states do.

10 Q. Within the State Election Board, do you  
11 discuss best practices as they concern to election  
12 systems?

13 MR. MILLER: Object to form.

14 You can answer.

15 THE WITNESS: Best practices regarding  
16 various election systems? Is that your  
17 question?

18 BY MS. ELSON:

19 Q. (Nodded head.)

20 A. No, we do not discuss that. It is not the  
21 State Election Board's role to select the election  
22 system.

23 Q. And whose role is it to select the  
24 election system in Georgia?

25 A. In this case, the general assembly passed



1 a law that required -- that required the type of  
2 election system to be used.

3 Q. Does the State Election Board ever hear  
4 testimony regarding the choice of Georgia's election  
5 system?

6 A. I don't recall ever hearing testimony  
7 regarding that.

8 Q. All right. As a member of the  
9 State Election Board, do you care about the security  
10 of elections in Georgia?

11 MR. MILLER: Object to form.

12 THE WITNESS: Of course.

13 BY MS. ELSON:

14 Q. Is it important to you to know that the  
15 election system being used is not hackable by  
16 outside actors?

17 MR. MILLER: Object to form.

18 THE WITNESS: It is important for me to  
19 know that the election system that is used is  
20 safe and secure.

21 BY MS. ELSON:

22 Q. And what do you mean by "safe and secure"?

23 A. That it is protected as -- from -- kept  
24 secure and not accessed by others and that there are  
25 protocols in place to make sure that it is a secure

1 and safe system.

2 Q. Have you heard any complaints about  
3 Georgia's current election system being hackable?

4 A. General complaints, yes.

5 Q. And what have those complaints been?

6 A. I think that there are complaints in this  
7 case regarding that, speculate -- spec --  
8 speculative concerns that the system could be  
9 hacked.

10 Q. Have you heard complaints from other  
11 individuals besides the plaintiffs in this  
12 litigation?

13 A. Yes. We have received complaints through  
14 public comment at the State Election Board, through  
15 emails that were sent to me by members of the  
16 public. And I've certainly been aware of news media  
17 reports.

18 Q. When does the State Election Board solicit  
19 public comment?

20 A. We generally have public comment -- we  
21 solicit public comment through -- for every meeting.  
22 There is an email address that is supplied on our  
23 agenda to give public comment. Over the years, we  
24 have had portions of public comment in our public  
25 meetings where members of the public are allowed to

1     come and speak.

2           Q.     Did you collect and produce those emails  
3     that you've received --

4           A.     I did.

5           Q.     -- in public comments?

6                   And just to confirm, you have not heard  
7     any live testimony from voters to the SEB about  
8     concerns with the BMD system?

9           A.     I would say that there have been concerns  
10    expressed through public comment.

11          Q.     Okay. But not through live testimony?

12          A.     I don't know what you mean by "live  
13    testimony."

14          Q.     Do voters in Georgia ever appear at SEB  
15    hearings and give testimony?

16          A.     Like, are they -- they will come and speak  
17    in public comment. The members of the public are  
18    not sworn in during State Election Board meetings,  
19    so I don't know exactly what you mean by "give  
20    testimony."

21          Q.     I see. I think I was considering that  
22    public comment and the live speaking were two  
23    different things, but it sounds like you're saying  
24    that you consider those to be the same thing.

25          A.     When someone stands up and speaks to the

1 board in a public comment -- in the time in the  
2 agenda that's allotted for public comment is what  
3 I'm speaking about. I'm sorry if that's not clear.

4 Q. No, it's very clear. I think I  
5 misunderstood, so thanks for clarifying.

6 Would you support the use of an election  
7 system that could be hacked in a few minutes by a  
8 voter in the voting booth?

9 MR. MILLER: Objection. Calls for  
10 speculation. And form.

11 You can answer.

12 THE WITNESS: I support secure election  
13 systems.

14 BY MS. ELSON:

15 Q. Would you support the use of an election  
16 system that could be hacked in a few minutes by a  
17 voter in the voter booth?

18 MR. MILLER: Same objection.

19 THE WITNESS: I believe that was the same  
20 question. I think that it is important to have  
21 measures and control -- measures in place and  
22 make sure that the security of these devices,  
23 you know, can be monitored and any  
24 opportunities for hacking be minimized.

25

1 BY MS. ELSON:

2 Q. If you were shown proof that an election  
3 system could be hacked by a voter in the voting  
4 booth, would you support the use of that system?

5 MR. MILLER: Same objection.

6 THE WITNESS: I think that it is important  
7 to have security controls in place regarding  
8 any election system. I do not -- would not  
9 support a scenario where voting machines were  
10 used in such a way that -- and security  
11 controls were not in place.

12 BY MS. ELSON:

13 Q. Do you -- let me strike that.

14 Are you familiar with how BMDs work?

15 A. Yes.

16 Q. And can you describe your understanding of  
17 how they work?

18 A. I understand -- I can describe my  
19 understanding from a user's experience. I do not  
20 have technical expertise regarding BMDs.

21 Q. That would be great. Thanks.

22 A. You -- I have voted on the BMD twice. You  
23 get a voter access card. You insert it into the  
24 machine. You select -- make your voter selections  
25 and the BMD machine prints out a paper ballot. You

1 review the paper ballot and scan the paper ballot,  
2 and that is generally the process.

3 Q. And where do you get the voter access card  
4 from?

5 A. From -- this is a live voting. From when  
6 you go through the steps when you arrive to vote.  
7 From the poll workers.

8 Q. What company manufactures the BMDs in use  
9 in Georgia?

10 A. It's my understanding they are -- Dominion  
11 is the name of the company.

12 Q. Has the State Election Board interacted at  
13 all with Dominion?

14 A. I believe that we may have had one meeting  
15 where someone from Dominion came and spoke about the  
16 machines, the security of the machines, but that  
17 would be reflected in the minutes of the board  
18 meetings.

19 Q. Have you ever, aside from the two times  
20 you voted on one, inspected a BMD before?

21 A. I have observed one, yes. But inspected,  
22 no.

23 Q. When did you observe the BMD?

24 A. I believe that there were some available  
25 in the Secretary of State's office prior -- after

1 the -- the contract was awarded but prior to going  
2 into use, for County election officials and others  
3 to observe.

4 Q. And you mentioned earlier that Dominion  
5 came and spoke about the security of the machines at  
6 a State Election Board meeting.

7 Why did they come and speak about  
8 security?

9 A. Because there were concerns raised by  
10 members of the public. Speculative concerns. I  
11 believe, I -- I'm not positive about this, but I  
12 believe that a representative came after one of the  
13 elections to speak generally on the topic in the  
14 public meeting.

15 Q. Do you recall --

16 A. So anything he said would be reflected in  
17 the minutes or the transcription of those meetings.

18 Q. Okay. Do you know how BMDs are updated?

19 A. I do not have any technical expertise  
20 regarding how BMDs are updated.

21 Q. Have you discussed with the  
22 State Election Board how BMDs are updated?

23 A. I do not recall any specific discussions  
24 about that.

25 Q. So the State Election Board has not

1 promulgated any rules about how the machines should  
2 be updated?

3 A. I didn't say that, but I don't recall a  
4 specific rule regarding updating of BMDs. I'm sure  
5 that that topic may be addressed within one of the  
6 rules, but I'm not aware of a rule on that specific  
7 topic.

8 Q. Okay. Do you know who is responsible for  
9 updating the BMD machines?

10 A. I do not.

11 Q. Are you aware that removable media such as  
12 memory cards or USB sticks can be inserted into BMD  
13 machines?

14 A. I don't have any tech- -- technical  
15 expertise regarding BMD machines.

16 Q. Is removable media in BMD machines  
17 something that the State Election Board has ever  
18 discussed?

19 A. We do not discuss the technical aspects of  
20 the BMD machines.

21 Q. And why is that?

22 A. Because we are not responsible for the  
23 technical aspects of the BMD machines.

24 Q. And who is responsible for the technical  
25 aspects of the BMD machines?



1           MR. MILLER: Objection. Calls for a legal  
2 conclusion.

3           THE WITNESS: I believe that the election  
4 superintendents work with the Secretary of  
5 State for -- regarding the use of the ballot  
6 marketing devices.

7 BY MS. ELSON:

8           Q. Would you agree that the choice of  
9 machines used might have an affect on whether  
10 elections in Georgia are fair and secure?

11           MR. MILLER: Object to form.

12           THE WITNESS: I don't have any reason to  
13 believe that the -- that could be true.

14 BY MS. ELSON:

15           Q. So when voters voted -- let me strike  
16 that.

17           When voters vote on the BMDs, they're  
18 provided with a paper printout; correct?

19           A. That is correct.

20           Q. And that printout shows both human text --  
21 human readable text and a QR code?

22           A. Yes, that is correct.

23           Q. When votes are tabulated that were cast on  
24 BMDs, are they tabulated using the QR codes or the  
25 human readable text?

1           A.    It's my understanding they're calculated  
2    based on QR code.

3           Q.    Has the State Election Board ever  
4    discussed rules concerning which part of the vote  
5    will be tabulated?

6           A.    We do have a rule regarding the definition  
7    of a vote.

8           Q.    Were you a member of the  
9    State Election Board when that rule was proposed and  
10   voted on?

11          A.    I was.

12          Q.    Did the State Election Board receive any  
13   briefing or information to assist them in making an  
14   informed decision about that rule?

15          A.    We would be provided advice and guidance,  
16   recommendations by the Secretary of State's office  
17   and their staff.

18          Q.    Have you heard any public comment from  
19   voters that they are unable to verify their votes  
20   using Georgia's current election system?

21               MR. MILLER: Object to form.

22               THE WITNESS: I have heard voter -- I have  
23   heard members of the public express concern  
24   that the QR code -- about the QR code, yes.

25

1 BY MS. ELSON:

2 Q. And can you describe those concerns?

3 A. That generally they're afraid that the QR  
4 code does not reflect the printed text.

5 Q. Were you concerned when you heard comments  
6 about that topic?

7 A. I have not been presented any evidence  
8 that a QR code does not reflect the printed text.

9 Q. Have you been presented with any evidence  
10 that the QR code does reflect the text?

11 A. Yes. I would say based on recounts of  
12 votes, I think that -- of the risk-limiting audit  
13 says that the votes are accurate.

14 COURT REPORTER: I'm sorry. I didn't hear  
15 you. You said he risk something audit are  
16 accurate.

17 THE WITNESS: Risk-limiting audit.

18 COURT REPORTER: Risk remitting. Thank  
19 you.

20 THE WITNESS: Limiting. Limiting, not  
21 remitting.

22 COURT REPORTER: Limiting. Thank you.

23 BY MS. ELSON:

24 Q. I definitely will have some follow-up  
25 questions about audits in a moment.

1           To your knowledge, does the Secretary of  
2   State's office commission studies regarding election  
3   systems?

4           A.    I don't know if the State -- the  
5   State Election Board or Secretary of State's office?

6           Q.    My question was about the Secretary of  
7   State's office.

8           A.    I don't have knowledge about studies that  
9   are commissioned by the Secretary of State's office.

10          Q.    Okay. Are you aware that one study  
11   commissioned by the Secretary of State's office  
12   found that over half of voters reviewed their ballot  
13   less than a second or not at all?

14          MR. MILLER: Object to form.

15          THE WITNESS: I'm not aware of that  
16   specific study, no.

17   BY MS. ELSON:

18          Q.    Are you --

19          A.    I do not know -- I -- I will add that we  
20   have put in place rules that poll workers must  
21   remind voters to review their paper ballots now.

22          Q.    And when you voted on a BMD, did you find  
23   in practice that poll workers remind voters to  
24   review their ballot?

25          A.    Yes.

1           Q.    Does it concern you to know that a study  
2    found that over half of their voters review their  
3    ballot very cursorily?

4           MR. MILLER:   Object to form.

5           THE WITNESS:   I hope the voters, when  
6    presented with a paper ballot and are told to  
7    review their ballot, will review their ballot.  
8    They have responsibility for reviewing their  
9    ballot.

10   BY MS. ELSON:

11          Q.    We talked a bit about this before, but are  
12    voters in Georgia able to verify that their  
13    individual ballot reflects their preferred  
14    selections when voting using a BMD?

15          MR. MILLER:   Object to form.   Calls for  
16    speculation.

17          THE WITNESS:   They're able to review  
18    their -- the printed text of their ballot.

19   BY MS. ELSON:

20          Q.    Just to confirm, is the printed text  
21    what's tabulated when votes are counted?

22          MR. MILLER:   Objection.   Asked and  
23    answered.

24          THE WITNESS:   The QR code is what is  
25    counted in the ballot scanner, is my

1           understanding.

2       BY MS. ELSON:

3           Q.     And can humans read QR codes?

4           A.     They cannot, at least to the best of my  
5     knowledge.

6           Q.     Have you ever discussed voter verification  
7     regarding BMDs with members on the  
8     State Election Board?

9           MR. MILLER:   Object to form.

10          THE WITNESS:   I don't recall any specific  
11     conversations.

12       BY MS. ELSON:

13          Q.     So you mentioned earlier that you believe  
14     the audits are able to prove that the QR code  
15     accurately reflects what is on the human readable  
16     portion of a ballot.

17                 Are audits important to verifying election  
18     results?

19          A.     I think -- I think that they are a  
20     safeguard, yes.

21          Q.     And what makes them important or a  
22     safeguard?

23          MR. MILLER:   Object to form.

24          THE WITNESS:   Because the risk-limiting  
25     audit is able to -- to give some security that

1           the vote outcome is what was -- that the  
2           hand-marked paper ballots are the same as the  
3           vote that was tabulated on the ballot scanner.

4   BY MS. ELSON:

5           Q.   And what is a risk-limiting audit?

6           A.   They -- the law provides for a specific  
7           audit framework to be done regarding ballot scanning  
8           devices on a periodic basis, and there are also  
9           provisions in the State Election Board regarding  
10          that -- State Election Board rules regarding a  
11          risk-limiting audit. My understanding is it's an  
12          audit based on a statistical number of ballots to --  
13          of a hand recount.

14          Q.   You mentioned those audits are required  
15          periodically.

16                  Do you know how often those audits are  
17          conducted?

18          A.   I can't recall specifically, but I believe  
19          it is addressed in the law.

20          Q.   When do you believe that audits should be  
21          required?

22                  MR. MILLER:  Objection.  Lack of  
23          foundation.

24                  THE WITNESS:  I don't have a personal  
25          opinion on how often they should be required.

1 BY MS. ELSON:

2 Q. Does Georgia use any other type of audit  
3 besides the RLA audit you just mentioned?

4 A. Not that I can specifically think of.

5 Q. Does the State Election Board play a role  
6 in deciding when an audit should take place in  
7 Georgia?

8 A. I do not believe we have a role in that  
9 process.

10 Q. Does the State Election Board have a role  
11 in deciding what types of audits should occur?

12 A. I do not believe so.

13 Q. Are audit results ever shared with the  
14 State Election Board?

15 A. Specifically with the  
16 State Election Board, I have not had that  
17 experience.

18 Q. Have audits ever come up at  
19 State Election Board meetings?

20 A. We have passed a rule regarding audits.

21 Q. Do you discuss audits with the Secretary  
22 of State's office?

23 A. I don't recall any specific discussions  
24 with the Secretary of State's office regarding that  
25 topic.



1 Q. You mentioned an RLA audit.

2 Can you explain step by step how that  
3 works?

4 MR. MILLER: Objection. Lack of  
5 foundation. Ms. Sullivan is not testifying as  
6 an expert.

7 THE WITNESS: No, I cannot.

8 BY MS. ELSON:

9 Q. What do you understand the difference to  
10 be between an audit and a recount under Georgia law?

11 MR. MILLER: Objection. Calls for a legal  
12 conclusion.

13 THE WITNESS: My understanding is that a  
14 recount is something that a candidate is  
15 entitled to request if there is a certain  
16 percentage difference between the votes, and  
17 that recount is conducted under rule by  
18 scanning versus a risk-limiting audit which is  
19 a manual hand recount and is something that is  
20 set forth in the law to be required on a  
21 periodic basis.

22 BY MS. ELSON:

23 Q. So a risk-limiting audit is conducted by  
24 hand?

25 A. That is my understanding.

1           Q.    And what exactly is tabulated by hand  
2   during a risk-limiting audit?

3           A.    The votes.

4           Q.    Given that in this case there are two  
5   pieces of the printed paper, can you be more  
6   specific when you say "the vote"?

7           A.    I'm sorry. I didn't understand your  
8   question about two pieces of paper.

9           Q.    Yeah. That was -- I misspoke.  
10                Given in this case that there are two  
11   pieces of information on each ballot, a portion of  
12   text and a QR code, can you detail what you mean by  
13   "the vote"?

14          A.    In a risk-limiting audit, they're counting  
15   the printed text is my understanding.

16          Q.    Okay. Does the risk-limiting audit ever  
17   compare the printed text on a ballot to the QR code  
18   on that same ballot?

19          A.    I am not an expert on risk-limiting  
20   audits.

21          Q.    So as a State Election Board member, you  
22   don't know whether during a risk-limiting audit, the  
23   printed text on the ballot is compared to the QR  
24   code on that ballot?

25                MR. MILLER: Object to form.

1           THE WITNESS: I mean, I believe that there  
2           is -- I don't know specifically what you're  
3           asking me.

4   BY MS. ELSON:

5           Q.   During a risk-limiting audit -- strike  
6           that.

7                   If a QR code was changed from what the  
8   voter selected, would a risk-limiting audit be able  
9   to pick up on that change?

10           MR. MILLER: Objection. Calls for  
11           speculation.

12           THE WITNESS: I'm sorry. Could you  
13           rephrase your question?

14   BY MS. ELSON:

15           Q.   If somehow a QR code reflected something  
16           differently than the human readable portion of a  
17   voter's ballot, would a risk-limiting audit be able  
18   to detect that discrepancy?

19           MR. MILLER: Same objection.

20           THE WITNESS: I think you're -- you're  
21           getting into technical issues which I don't  
22           have any real knowledge of. I am not an expert  
23           regarding QR codes.

24   BY MS. ELSON:

25           Q.   Do you think it's important that each

1 voter's vote is counted when they cast a ballot in  
2 the Georgia election?

3 MR. MILLER: Object to form.

4 THE WITNESS: Yes.

5 BY MS. ELSON:

6 Q. And is there any mechanism available in  
7 Georgia for a voter to be sure that their vote is  
8 counted as they cast it?

9 A. They can review the printed text on their  
10 ballot and be -- I think that can be safe that their  
11 vote is counted.

12 Q. And can you say more about what you mean  
13 when you say "they can be sure" -- or "they can be  
14 safe" -- "it's safe that their vote was counted"?

15 A. We don't have any reason to believe in  
16 Georgia that the vote that is -- the printed ballot  
17 is not what is count -- the -- the vote as reflected  
18 in the printed text does not reflect the vote that  
19 was calculated via QR code.

20 Q. And a risk-limiting audit as you've  
21 described them to me today does not assess the  
22 content of the QR codes; correct?

23 MR. MILLER: Objection. Asked and  
24 answered.

25 THE WITNESS: The risk-limiting audit,

1           it's my understanding, reflects the -- is a  
2           hand count of the printed text.

3   BY MS. ELSON:

4           Q.    What would happen if the results of an  
5   audit indicate a different outcome than the one the  
6   machines tabulated?

7           MR. MILLER:  Objection.  Calls for a legal  
8   conclusion.  Calls for speculation.

9           THE WITNESS:  I don't know specifically  
10   what would happen in that scenario.

11  BY MS. ELSON:

12          Q.    You don't know whether there's any way for  
13   that election outcome to be declared invalid or to  
14   rerun the election?

15          MR. MILLER:  Same objection.

16          THE WITNESS:  I believe that it is  
17   addressed in the law, but I don't know  
18   specifically how -- what happens at that point  
19   in the process.  I have not seen that occur.

20  BY MS. ELSON:

21          Q.    And what do you mean when you say -- well,  
22   strike that.

23                  We've talked a bit about RLA audits.

24                  What is a recount as you understand the  
25   term to mean in the context of Georgia elections?

1           MR. MILLER: Objection. Calls for a legal  
2 conclusion.

3           THE WITNESS: I think I explained earlier  
4 that my understanding of a recount is something  
5 that a candidate is entitled to under law if  
6 requested if the election contest is a certain  
7 percentage difference.

8 BY MS. ELSON:

9           Q. And during those recounts, is it your  
10 understanding that the machines do the retabulating?

11          A. That is my understanding, yes.

12          Q. And those machines are tabulating the QR  
13 code portion of the voter's ballots?

14          A. Yes.

15          Q. Would you be concerned if you weren't  
16 allowed to vote in an election for some reason?

17           MR. MILLER: Object to form.

18           THE WITNESS: If someone were to prevent  
19 me from voting? Is that your question? Would  
20 I be concerned if someone were to stop me from  
21 voting?

22 BY MS. ELSON:

23          Q. If someone or something were to stop you  
24 from voting.

25          A. I can't imagine a scenario where I would

1 be stopped from voting if I was lawfully able to  
2 vote.

3 Q. If you were not allowed to vote, however,  
4 would that concern you?

5 MR. MILLER: Same objection.

6 THE WITNESS: I don't have any, you  
7 know, -- I cannot imagine a scenario in which I  
8 was not allowed to vote if I was lawfully able  
9 to vote.

10 BY MS. ELSON:

11 Q. I'll try and rephrase.

12 If someone were to present to you or if  
13 you were to hear about a scenario where someone was  
14 prevented from voting in an election to which they  
15 were legally otherwise entitled to vote, would that  
16 concern you?

17 A. I believe that everyone can -- who is  
18 legally entitled to vote should be able to cast a  
19 vote.

20 Q. Would you be concerned if you were forced  
21 to vote by a mail-in ballot in an election in  
22 Georgia?

23 MR. MILLER: Object to form.

24 THE WITNESS: If I were -- I -- I have a  
25 hard time spec- -- I mean, you're asking me a

1           very speculative thing. I cannot imagine a  
2           situation where I was forced to vote by  
3           absentee ballot.

4   BY MS. ELSON:

5           Q.   If you found out after an election that  
6           your particular vote had not been counted, would you  
7           find that concerning?

8           MR. MILLER: Objection. Calls for a legal  
9           conclusion. Excuse me. Calls for speculation.

10          THE WITNESS: Would I find it concerning  
11          if my vote was not counted?

12   BY MS. ELSON:

13          Q.   Yes.

14          A.   Yes, I would be concerned if my vote was  
15          not counted if it was legally and appropriately  
16          voted.

17          Q.   All right. And a couple of questions  
18          about hand-marked paper ballots.

19                Would you use ballot marking devices that  
20          tabulate the human readable portion of the ballot  
21          rather than the -- strike that question. I made the  
22          same mistake this morning.

23                Would you use scanners that tabulate the  
24          human readable portion of the ballot rather than the  
25          QR code portion?



1           MR. MILLER: Objection. Calls for  
2           speculation and relevance.

3           THE WITNESS: Would I object to using a  
4           scanner that tabulated the written text versus  
5           a QR code? No, I would not object to that.

6 BY MS. ELSON:

7           Q. Do you think that Georgia's previous  
8           election system which utilized DREs was as reliable  
9           as the BMD system?

10          MR. MILLER: Objection. Lack of  
11          foundation and relevance.

12          THE WITNESS: I don't have any expertise  
13          in that matter -- I mean, in that regard.

14 BY MS. ELSON:

15          Q. And would you use hand-marked paper  
16          ballots if that was the election system in Georgia?

17          A. I would use the hand-marked paper ballots  
18          if that was the election system, yes. If that was  
19          the way that votes were required to be cast, I would  
20          certainly use a paper-marked ballot.

21          Q. Can hand-marked paper ballots be altered  
22          by malware?

23          MR. MILLER: Object to form. Speculation.

24          THE WITNESS: I would think potentially  
25          there could be that concern if a -- if a

1 scanner was -- anytime a scanner was involved,  
2 but I'm not aware of a situation where  
3 hand-marked paper ballots are completely a  
4 paper process.

5 BY MS. ELSON:

6 Q. Would you agree that there are a higher  
7 number of technical machines in use with the BMD  
8 system than there were with the DRE system?

9 A. I have no knowledge of that.

10 Q. Are hand-marked paper ballots more secure  
11 than the BMD system?

12 MR. MILLER: Objection. Lack of  
13 foundation. Relevance.

14 THE WITNESS: I don't have any expertise  
15 regarding that.

16 BY MS. ELSON:

17 Q. Are you aware that a hand-marked paper  
18 ballot system costs tens of millions of dollars less  
19 to maintain and administer than a BMD system?

20 A. I don't have any expertise regarding the  
21 cost of any election management system.

22 Q. Would it concern you to hear that  
23 hand-marked paper ballot systems cost much less  
24 money than BMD systems?

25 MR. MILLER: Objection. Relevance.

1 THE WITNESS: No, that does not concern  
2 me.

3 BY MS. ELSON:

4 Q. And why not?

5 A. I -- I don't have any concern regarding --  
6 it is not my concern regarding the cost of an  
7 election system.

8 Q. Are you aware of any unauthorized access  
9 to any component of Georgia's election system,  
10 either the current system or previous systems?

11 MR. MILLER: Object to form.

12 THE WITNESS: I believe that there was  
13 some concern regarding unauthorized access  
14 involving KSU, but I don't have any specific  
15 personal knowledge.

16 BY MS. ELSON:

17 Q. Do you recall -- strike that.

18 Are you aware of Logan Lamb?

19 A. The name sounds familiar, yes.

20 Q. Did the reports you recall hearing about  
21 the KSU server concern you when you heard them?

22 MR. MILLER: Objection. Relevance.  
23 Misstates testimony.

24 THE WITNESS: Can you ask your question  
25 again?

1 BY MS. ELSON:

2 Q. Sure. And I apologize if I misstated  
3 something.

4 Did you state earlier that you heard of  
5 some unauthorized access to the KSU --

6 A. Or allegations of unauthor- --  
7 unauthorized access, yes.

8 Q. Did those allegations concern you?

9 A. I think -- I mean, there's always some  
10 concern, yes, if there are allegations of --  
11 specific allegations of unauthorized access to the  
12 election system.

13 Q. Why would that be concerning to you?

14 MR. MILLER: Objection. Relevance.

15 THE WITNESS: It is important to maintain  
16 the security of the election system.

17 BY MS. ELSON:

18 Q. Did the State Election Board do anything  
19 in response to those allegations?

20 A. I don't recall that the  
21 State Election Board did anything.

22 Q. Did the office of the Secretary of State  
23 do anything about those allegations?

24 A. I believe that they did. I believe that  
25 there was some movement out of KSU for those

1 functions, but I'm not -- that -- that is just my  
2 understanding. I don't have any personal knowledge  
3 about this issue.

4 Q. Okay. When the DREs were in place, how  
5 often was election security with the DREs discussed  
6 at State Election Board meetings?

7 MR. MILLER: Objection. Relevance.

8 THE WITNESS: I don't remember any  
9 specific conversations, but just like with the  
10 ballot marking devices, there are rules in  
11 place regarding the security of the -- those  
12 devices.

13 BY MS. ELSON:

14 Q. And are those rules promulgated by the  
15 State Election Board?

16 A. There were some rules promulgated by the  
17 State Election Board regarding security of the  
18 devices, yes.

19 Q. And you're referring to both DREs and  
20 BMDs?

21 A. Yes.

22 Q. What information does the  
23 State Election Board receive to assist it in  
24 assessing proposed rules about security?

25 MR. MILLER: Object to form.

1           THE WITNESS: That's a very general  
2           question. Can you ask me a more specific  
3           question or rephrase it?

4   BY MS. ELSON:

5           Q. Yeah. When the State Election Board is  
6           considering a rule that has to do with, say, the  
7           security of BMD machines, does the  
8           State Election Board receive any briefing or outside  
9           presentations regarding those machines?

10          MR. MILLER: Object to form.

11          THE WITNESS: I don't recall any specific  
12          briefings, but we -- recommendations are made  
13          by the Secretary of State staff.

14   BY MS. ELSON:

15          Q. Were you aware of any security  
16          vulnerabilities associated with the previous DRE  
17          machines?

18          MR. MILLER: Objection on form.  
19          Relevance.

20          THE WITNESS: I'm not an expert regarding  
21          the technical aspects of DREs.

22   BY MS. ELSON:

23          Q. So you're not aware of any  
24          vulnerabilities -- oh, sorry. Strike that.

25                 Did the State Election Board ever discuss

1 election security in the context of Georgia's change  
2 from DREs to BMDs?

3 A. I don't recall any discussions.

4 Q. After the implementation of the BMDs, how  
5 often did the State Election Board discuss election  
6 security?

7 MR. MILLER: Object to form.

8 THE WITNESS: I don't recall any specific  
9 discussions.

10 BY MS. ELSON:

11 Q. And that is even though there have been  
12 many concerns raised about the BMD election  
13 security?

14 A. I mean, it's certainly been discussed in  
15 meetings in context to -- with rules, but how often,  
16 I -- I don't know -- I don't know how often the  
17 issue comes up.

18 Q. And when was it discussed in -- as it  
19 concerns rules?

20 A. Regard- -- the security of the ballot  
21 marking devices? I think there's several rules that  
22 touch on security regarding transport and storage of  
23 those devices, how they may be programmed, I think  
24 that issue would have come up each time we discussed  
25 one of those rules.

1 Q. And those rules are passed based on  
2 recommendations from the Secretary of State's  
3 office?

4 MR. MILLER: Object to form.

5 THE WITNESS: There are recommendations --  
6 there are recommendations from the Secretary of  
7 State's office but there is also a rules  
8 working group that works on the rules prior to  
9 being presented to the board.

10 BY MS. ELSON:

11 Q. And that working group consists of  
12 State Election Board members?

13 A. Generally two State Election Board members  
14 will be in that group as well as local election  
15 officials and election officials from the Secretary  
16 of State's office.

17 Q. Does the rules working group receive any  
18 briefing or information regarding the BMDs when they  
19 are drafting rules about election security?

20 A. During my time on the working group, I do  
21 not remember any specific briefings outside of those  
22 members of the State Election Board staff.

23 Q. And so just to follow-up on that, are you  
24 saying that other State Election Board members  
25 presented about information?



1           A.    I'm saying that the Secretary of State's  
2   staff have addressed that issue and made  
3   recommendations.

4           Q.    Okay. So to your understanding, they  
5   don't use any -- they don't gather any information  
6   when they are making the recommendations?

7           MR. MILLER: Object to form.

8           THE WITNESS: Who's they? The Secretary  
9   of State staff?

10   BY MS. ELSON:

11          Q.    Oh, the rules working group.

12          A.    The rules working group I think is  
13   certainly gathering information from the Secretary  
14   of State staff who study these issues and this  
15   topic.

16          Q.    Okay. Thank you.

17          A.    I can't say what State Election Board  
18   members gather on their own.

19          Q.    Okay. Understood.

20          A.    Can we take a break? We're --

21          Q.    Oh, of course.

22          A.    -- right -- right on about an hour.

23          Q.    Sure.

24          A.    Okay. Thanks.

25          Q.    Do you want to say ten minutes? Is that

1     okay?

2           A.     How about five?

3           Q.     Five's fine.

4           A.     Okay.

5                   (Cross-talk.)

6           VIDEOGRAPHER:   Sorry.   Off record at 2:55.

7                   (Off the record.)

8           VIDEOGRAPHER:   Back on the record.   The

9           time is 3:02.

10    BY MS. ELSON:

11           Q.     All right.   Are you aware that an expert  
12     in this case named Alex Halderman has examined  
13     Georgia's voting equipment and issued a report about  
14     it?

15           A.     I have heard that.

16           Q.     What do you know about that report or what  
17     have you heard about it?

18           A.     I just know that it has been done.

19           Q.     Have you read about Dr. Halderman's public  
20     reply or his declarations?

21           A.     I have not.

22           Q.     Have you heard news reports covering  
23     Dr. Halderman's work?

24           A.     I don't have any knowledge of his work,  
25     no.

1           Q.    If you were to hear that Dr. Halderman  
2    found that Georgia's current election system can be  
3    hacked in numerous ways, would that concern you?

4           MR. MILLER:   Object to form.

5           THE WITNESS:   I don't have any specific  
6           knowledge of his report and do not feel like  
7           it's appropriate to comment on that.

8   BY MS. ELSON:

9           Q.    Would it concern you if a cybersecurity  
10   expert were to tell you that they examined Georgia's  
11   election system and found that it could be hacked?

12          MR. MILLER:   Objection.   Calls for  
13          speculation.

14          THE WITNESS:   I would certainly want to  
15          know the circumstances of that and I don't have  
16          the circumstances of that.

17   BY MS. ELSON:

18          Q.    Has the State Election Board taken any  
19   action to learn more information about  
20   Dr. Halderman's report?

21          MR. MILLER:   Objection.   Relevance.

22          THE WITNESS:   I have not, no.

23   BY MS. ELSON:

24          Q.    Have other State Election Board members,  
25   to your understanding?

1           A.    I don't know.

2           Q.    Would you like to know more information  
3   about the vulnerabilities that Dr. Halderman found?

4           MR. MILLER:   Object to form.

5           THE WITNESS:   I'm sorry.   Would I like to  
6   know more about it?

7   BY MS. ELSON:

8           Q.    Yes.

9           A.    It is -- it is good generally for the  
10   board to be aware of things regarding the election  
11   system that we can effect by changes through rules.  
12   If there are rules that we can pass that make better  
13   security, I think that is always a good thing.

14          Q.    Do you think that having information about  
15   security vulnerabilities in the election system  
16   would assist the State Election Board in  
17   promulgating rules related to security?

18          MR. MILLER:   Object to form.

19          THE WITNESS:   We're speaking  
20   speculatively.   I think that would depend on  
21   what kind of concerns they're talking about.

22   BY MS. ELSON:

23          Q.    Are you aware that plaintiffs in this case  
24   have asked the Secretary of State's office attorneys  
25   to provide a proposal to allow both the Secretary of

1 State's office and the State Election Board to  
2 access some of Dr. Halderman's report?

3 MR. MILLER: Objection. Form and  
4 relevance.

5 THE WITNESS: I am not familiar with that,  
6 no.

7 BY MS. ELSON:

8 Q. Do you plan on taking any action to learn  
9 information about the vulnerabilities we've been  
10 discussing?

11 MR. MILLER: Same objection.

12 THE WITNESS: I don't plan on taking any  
13 action right now, no.

14 BY MS. ELSON:

15 Q. And why is that?

16 A. I don't have any specific plans at this  
17 moment to take any actions.

18 Q. Are you aware that the Secretary of  
19 State's office has hired their own experts in this  
20 litigation?

21 A. I am aware of that, yes.

22 Q. And are you aware that this election  
23 security expert retained by the State testified  
24 under oath that he doesn't dispute Dr. Halderman's  
25 findings about the vulnerabilities that the

1 equipment can be hacked?

2 MR. MILLER: Object to form and  
3 characterization.

4 THE WITNESS: I am not aware of the expert  
5 witness' testimony in this case.

6 BY MS. ELSON:

7 Q. Does it concern you to hear that the  
8 State's election security expert testified under  
9 oath that he does not dispute Dr. Halderman's  
10 findings?

11 A. I don't --

12 MR. MILLER: Same objection.

13 THE WITNESS: I don't have any specific  
14 knowledge of the testimony and, therefore, I  
15 can't, you know, express any opinion about  
16 that.

17 BY MS. ELSON:

18 Q. Are you aware that the State has admitted  
19 that it has taken no measures to address the  
20 failings that Dr. Halderman found with Georgia's  
21 voting equipment?

22 MR. MILLER: Same objection.

23 THE WITNESS: I have -- I have no  
24 knowledge of that.

25

1 BY MS. ELSON:

2 Q. Does hearing that affect your confidence  
3 in Georgia's voting system?

4 MR. MILLER: Same objection.

5 THE WITNESS: I don't have any knowledge  
6 of the expert report, so I can't form an  
7 opinion on that.

8 BY MS. ELSON:

9 Q. As a State Election Board member, have you  
10 ever reached out to a source for assistance or  
11 guidance on an issue within that source's specific  
12 expertise?

13 MR. MILLER: Object to form.

14 THE WITNESS: I'm not -- I'm -- I -- I  
15 mean, that was a very broad question, but I  
16 can't think of any specific scenario that is  
17 responsive.

18 BY MS. ELSON:

19 Q. So you've never reached out to -- strike  
20 that.

21 Some examples would be a cybersecurity  
22 expert or an election security expert.

23 Has the sec- -- have you as a -- have you  
24 as an SEB member ever reached out to experts such as  
25 those?

1           A.    I have not.

2           Q.    Has the State Election Board ever had a  
3   cybersecurity expert examine the BMD election  
4   system?

5                   MR. MILLER:  Objection.  Relevance.

6                   THE WITNESS:  The State Election Board has  
7   not.  I do not know whether or not the  
8   Secretary of State's office has.

9   BY MS. ELSON:

10          Q.    Did I understand your earlier testimony to  
11   be that you have no knowledge of how the RLA audit  
12   works, the risk-limiting audit works?

13          A.    I am not an expert on risk-limiting  
14   audits, no.

15          Q.    I guess I'm asking less about whether  
16   you're an expert than I am whether you have  
17   knowledge about how such an audit works.

18                   Do you have any knowledge of how the RLA  
19   works?

20          A.    There is a rule that we have passed  
21   regarding an RLA that sets some bas- -- basic  
22   frameworks, but I do not have that rule memorized.

23          Q.    And you testified earlier that you have no  
24   knowledge of the technical aspects of the BMDs;  
25   correct?



1           A.     Correct.

2           Q.     So I'm curious about how you promulgated  
3     rules about the RLA as a State Election Board member  
4     if you didn't have knowledge of how those worked.

5                     Is the issue that you had knowledge when  
6     you were addressing the rule that you no longer  
7     have?

8                     MR. MILLER:   Object to form.

9                     THE WITNESS:   Do I need to know the  
10     technical details of the ballot marking device  
11     to understand that there is a risk -- I don't  
12     think I need to know the technical  
13     interworkings of a ballot marking device system  
14     to know that there is such a thing as a  
15     risk-limiting audit.

16    BY MS. ELSON:

17           Q.     And I didn't mean to connect those two  
18     questions.

19           A.     Well, that's what you were doing.

20           Q.     I apologize.

21                     The question that I meant to ask was how  
22     did you promulgate rules about the audits as a  
23     State Election Board member if you didn't have  
24     knowledge about how those audits work?

25           A.     I don't have the specific knowledge

1     regarding the various types of risk-limiting audits.  
2     This recommendation came to us through the rules  
3     working group, and they formulated those  
4     recommendations.

5           Q.     Okay. Do you know which  
6     State Election Board members are currently on the  
7     working group, the rules working group?

8           A.     I believe that Sara Ghazal and Matt  
9     Mashburn were most recently on the working group.

10          Q.     So the rules working group, including  
11     those two members of the State Election Board, know  
12     the details of the risk-limiting audits?

13                 MR. MILLER: Object to form.

14                 THE WITNESS: I don't know.

15     BY MS. ELSON:

16          Q.     Are you relying on them when -- strike  
17     that.

18                 When the State Election Board's rules  
19     working committee makes a recommendation to you  
20     regarding a proposed rule about audits, are you  
21     relying on them to make an informed recommendation  
22     based on knowledge that they have about audits?

23          A.     Yes. I am relying on an informed  
24     recommendation from the Secretary of State's staff,  
25     as well as the members of the rules working group.

1 Q. Okay. And you mentioned having no  
2 knowledge of the technical aspects of the BMDs.

3 Without knowledge of how the BMDs work,  
4 how is the -- how is the State Election Board able  
5 to promulgate rules about voting with those devices?

6 A. I didn't say that I don't know how the  
7 ballot marking devices work, but I don't -- if I did  
8 say that, I didn't mean to say that. But I don't  
9 have technical expertise regarding all aspects of  
10 the ballot marking device.

11 Q. And so it's -- let me know if this  
12 mischaracterizes what you said.

13 But it's your understanding that the  
14 State Election Board does not promulgate rules  
15 regarding the technical aspects of the voting  
16 devices?

17 MR. MILLER: Object to form.

18 THE WITNESS: There may be some technical  
19 aspects that are addressed regarding -- I'm  
20 trying to think of an example. I'm not going  
21 to say that there's not anything that -- in the  
22 State Election Board rules that would have some  
23 bearing on a technical aspect of a ballot  
24 marking device.

25

1 BY MS. ELSON:

2 Q. And if that were the case, and you've  
3 stated that you lack technical knowledge about the  
4 BMDs, is your ability to pass rules including  
5 technical aspects made possible in the same way that  
6 your ability to pass rules about audits is?

7 MR. MILLER: Object to form. Relevance.

8 THE WITNESS: That was a pretty complex  
9 question, compound question.

10 The State Election Board hears from a  
11 number of -- the rules working group, experts  
12 in the Secretary of State's office, as well as  
13 members of the public to make informed decision  
14 when they're passing rules.

15 BY MS. ELSON:

16 Q. Is it your understanding that someone on  
17 the State Election Board understands technical  
18 aspects of the BMDs?

19 A. I cannot speak to the knowledge of other  
20 State Election Board members.

21 Q. Are BMDs connected to the Internet to  
22 receive updates?

23 A. It is my understanding that BMDs are  
24 generally not connected to the Internet.

25 Q. Would it concern you if BMDs were

1 connected to the Internet?

2 MR. MILLER: Objection. Calls for  
3 speculation.

4 THE WITNESS: I think that everything  
5 regarding BMDs should be conducted in the most  
6 safe and secure manner whatsoever.

7 BY MS. ELSON:

8 Q. Would you want BMDs to be connected to the  
9 Internet?

10 MR. MILLER: Same objection.

11 THE WITNESS: I don't want BMDs to be  
12 connected to the Internet unless it is  
13 necessary for them to operate.

14 BY MS. ELSON:

15 Q. Okay. Does any of the computer equipment  
16 used in Georgia's current election system utilize  
17 removable media such as memory cards or USB sticks?

18 MR. MILLER: Object to form.

19 THE WITNESS: I believe it does, but I  
20 don't have technical knowledge of the entire  
21 election system.

22 BY MS. ELSON:

23 Q. You receive -- you testified earlier that  
24 you receive recommendations regarding rules from the  
25 State Election Board rules working group?

1           A.     Yes.

2           Q.     Is it your understanding that the rules  
3     working group has technical knowledge about the BMD  
4     system?

5                   MR. MILLER:  Objection.  Asked and  
6     answered.

7                   THE WITNESS:  I don't know what the  
8     knowledge is of other members.

9     BY MS. ELSON:

10          Q.     Have you discussed with the  
11     State Election Board whether malware can be  
12     introduced to BMDs through removable media?

13          A.     I don't recall any specific questions -- I  
14     mean, any specific discussions.

15          Q.     Was any part of the DRE system transferred  
16     to the BMD system?

17                   MR. MILLER:  Object to form.

18                   THE WITNESS:  Not that I'm aware of.

19     BY MS. ELSON:

20          Q.     Would you want to know that information?

21                   MR. MILLER:  Objection.  Relevance.

22                   THE WITNESS:  Only if it were necessary  
23     for me to have that information.

24     BY MS. ELSON:

25          Q.     In what situation would it be necessary

1 for you to have that information?

2 MR. MILLER: Same objection.

3 THE WITNESS: I can't -- I can't  
4 speculate.

5 BY MS. ELSON:

6 Q. Okay. Would you see any issue with  
7 reusing memory cards or other components from the  
8 DRE system in the current BMD system?

9 A. I don't have any technical knowledge  
10 regarding the reuse of any removable media.

11 Q. So you wouldn't have any concerns if that  
12 were the case?

13 A. I don't have any knowledge as to whether  
14 or not there should be concern.

15 Q. Okay. All right. I'm going to publish a  
16 document. Let me stamp it and then I will introduce  
17 it. If you can refresh your Exhibit Share, let me  
18 know if you are able to see Exhibit No. 1.

19 (Plaintiffs' Exhibit 1 was marked for  
20 identification.)

21 THE WITNESS: I can see it.

22 BY MS. ELSON:

23 Q. You said you can see it? Sorry.

24 A. Yes.

25 Q. Okay. And if you can see the text at the

1 top of this document states that these are minutes  
2 from a State Election Board on --

3 A. Yes.

4 Q. -- February 28?

5 A. Yes.

6 Q. And do you recall attending this specific  
7 meeting?

8 A. I don't remember the specific meeting, no.

9 Q. But you don't have any indication that you  
10 wouldn't be, given that your name's there?

11 A. I can't -- I'm sorry. I haven't scrolled  
12 down to see what the meeting was about.

13 Q. Oh, yeah. You can take time to review the  
14 document if you'd like.

15 A. I don't remember this specific meeting,  
16 but I have no reason to believe I was not there.

17 Q. Okay. If you scroll to page 2 --

18 A. Yes.

19 Q. -- if you look to Proposed Rule 5, do you  
20 see where it says that preservation of memory cards  
21 was discussed?

22 A. Yes.

23 Q. What function do memory cards serve in  
24 Georgia's current election system?

25 A. I would like to look at that proposed rule



1 to be able to answer that question, but I believe  
2 that there are memory cards -- I can't tell you what  
3 the specific role of memory cards are at the moment.

4 Q. Okay. What is your understanding for the  
5 policies that Georgia has in place to ensure a  
6 secure chain of custody for memory cards?

7 MR. MILLER: Object to form.

8 THE WITNESS: I don't have personal  
9 knowledge of that.

10 BY MS. ELSON:

11 Q. Has the State Election Board discussed  
12 memory cards at other times besides this meeting?

13 A. I don't know. I can't recall any specific  
14 discussions.

15 Q. All right. If you can scroll to page 3,  
16 we'll be looking at Roman numeral V.

17 A. Okay.

18 Q. And near the middle of this page, do you  
19 see where it states "Logic and Accuracy Testing"?

20 A. Are you talking about just the reference  
21 to the rule?

22 Q. Yes.

23 A. Yes.

24 Q. Do you know what "Logic and Accuracy"  
25 testing refers to?

1           A.    Generally speaking, yes.  It's to make  
2   sure that the system is working appropriately and  
3   correctly.

4           Q.    And just for clarity, by "system," are you  
5   referring to the various components of Georgia's  
6   election system such as BMDs and scanners?

7           A.    Yes.

8           Q.    When there is a rule about logic and  
9   accuracy testing in front of the  
10   State Election Board, what type of information is  
11   provided to you in order for you to make an informed  
12   decision about whether or not this is a good rule?

13               MR. MILLER:  Object to form.

14               THE WITNESS:  There is discussion, just  
15   like any other rule, recommendations made by  
16   Secretary of State staff, county election  
17   officials who actually do this, and members of  
18   the public are invited to give input.

19   BY MS. ELSON:

20           Q.    Within that world that you described, are  
21   you given any detailed information about how logic  
22   and accuracy testing affects the voting machines?

23               MR. MILLER:  Object to form.

24               THE WITNESS:  I don't know what you're  
25   referring to.

1 BY MS. ELSON:

2 Q. Okay. We can strike that question.

3 A. Can I -- can I look back at you or am I --  
4 are we going to need to look at this document?

5 Q. Oh, whatever your preference is.

6 A. Well, I mean, if you're going to keep  
7 referring to it, I'll keep it up.

8 Q. I do have a couple more questions about  
9 this document.

10 A. Okay. It's just strange to talk to this  
11 document. Go ahead. I like to see you.

12 Q. I understand.

13 So on the same page at the end of the list  
14 where "Logic and Accuracy" testing is listed, do you  
15 see where it states "Use of emergency paper ballots  
16 when voting machines are inaccessible"?

17 A. Yes.

18 Q. Under what circumstances would voting  
19 machines be inaccessible?

20 MR. MILLER: Objection. Calls for a legal  
21 conclusion.

22 THE WITNESS: Like, for example, if the  
23 power was completely out at a voting location.

24 BY MS. ELSON:

25 Q. Are there any other circumstances you can

1 think of?

2 A. I'm sure there are other circumstances,  
3 but that's the example immediately comes to mind.

4 Q. Have you ever received public comment from  
5 counties about not having enough emergency paper  
6 ballots?

7 MR. MILLER: Objection. Relevance.

8 THE WITNESS: I don't know. Not -- not  
9 specific -- specifically to my recollection.

10 BY MS. ELSON:

11 Q. Have you ever received complaints from  
12 voters about their polling places not having enough  
13 emergency ballots?

14 MR. MILLER: Same objection.

15 THE WITNESS: I don't specifically recall  
16 any.

17 BY MS. ELSON:

18 Q. Okay. And we can exit out of this  
19 exhibit.

20 Does the State Election Board have any  
21 part in deciding how recounts are conducted in  
22 Georgia?

23 A. Hold on a second. I need to figure out  
24 how to exit. I don't know.

25 MR. MILLER: If you click on the Zoom at

1 the bottom of your screen there.

2 THE WITNESS: Oh, got it.

3 MR. MILLER: Yeah.

4 THE WITNESS: I'm sorry. Go ahead.

5 BY MS. ELSON:

6 Q. Hello again.

7 A. Hi.

8 Q. Does the State Election Board have any  
9 part in deciding how recounts are done?

10 A. I can't recall that they do, but there is  
11 a State Election Board rule on recounts.

12 Q. Does that rule, to your understanding,  
13 specify how the recount should be conducted?

14 A. I can't recall that off the top of my  
15 head.

16 Q. Does the State Election Board have any  
17 role in deciding whether in a particular  
18 circumstance a recount should occur?

19 A. I believe that when a recount should occur  
20 is controlled by law, but it may also be addressed  
21 in the rules.

22 Q. Do audits happen before every recount in  
23 Georgia?

24 MR. MILLER: Object to form.

25 THE WITNESS: Do audits happen before

1           every recount? Audits of what?

2       BY MS. ELSON:

3           Q.    The RLA audits you testified about  
4       earlier.

5           A.    Do they happen before every recount?

6           Q.    Yes.

7           A.    I don't know.

8           Q.    You don't know.

9                   Do you think they should happen before  
10       every recount?

11          A.    I don't --

12               MR. MILLER: Objection. Form.

13               THE WITNESS: I don't have an opinion.

14       BY MS. ELSON:

15          Q.    We mentioned a bit about how certain  
16       portions of the State Election Board don't have  
17       technical expertise about the components of  
18       Georgia's election system.

19               Would you want to receive more information  
20       about the technical components of the current  
21       system?

22               MR. MILLER: Object to form. Relevance.

23               THE WITNESS: It is certainly within the  
24       power of the State Election Board to request  
25       more technical knowledge.

1 BY MS. ELSON:

2 Q. As a State Election Board member, would  
3 you like to receive more detailed information than  
4 you have so far?

5 MR. MILLER: Objection. Asked and  
6 answered.

7 THE WITNESS: It is always good to be  
8 informed. I'm not going to say that I do not  
9 want any more information regarding any area of  
10 voting.

11 BY MS. ELSON:

12 Q. And a similar question.

13 Would you also be interested in -- or  
14 would you also appreciate being more informed about  
15 the security aspects of the current election system?

16 MR. MILLER: Object to form.

17 THE WITNESS: I think it is always good to  
18 be informed.

19 BY MS. ELSON:

20 Q. Are you familiar with the company  
21 Fortalice?

22 A. I have heard that name, but no.

23 Q. So you weren't aware that the Secretary of  
24 State's office hired Fortalice to assess its IT  
25 systems and security vulnerabilities?

1                   MR. MILLER: Object to form. Lack of  
2                   foundation.

3                   THE WITNESS: I am not familiar with that,  
4                   no. I do recall the name, but I have no  
5                   familiarity with that.

6 BY MS. ELSON:

7                   Q. Okay. Is ballot secrecy important to you  
8                   as a State Election Board member?

9                   A. Of course.

10                  MR. MILLER: Object to form.

11                  THE WITNESS: Of course.

12 BY MS. ELSON:

13                  Q. Would it concern you if someone could see  
14                  who you were voting for while you were voting?

15                  MR. MILLER: Same objection.

16                  THE WITNESS: Yes.

17 BY MS. ELSON:

18                  Q. Have you ever heard voters complain that  
19                  the BMD screens are too large?

20                  A. I have.

21                  Q. Did those complaints concern you?

22                  A. I think that there are a lot of opinions  
23                  about the BMD system, but there are -- I know the  
24                  Secretary of State's office put out specific  
25                  instructions on how to display those BMDs so that



1 the secrecy of the ballot was preserved.

2 Q. Have you ever received complaints or  
3 public comment from counties regarding their  
4 inability to follow the Secretary of State's  
5 guidance?

6 MR. MILLER: Object to form.

7 THE WITNESS: I don't recall any specific  
8 examples of that.

9 BY MS. ELSON:

10 Q. And are -- is the guidance you're  
11 referring to referring to the space and direction in  
12 which the -- each machine is set up in a polling  
13 place?

14 A. I believe that it addresses proper setup  
15 so that a secrecy of the ballot can be maintained.

16 Q. Is it your understanding that the counties  
17 in Georgia are able to comply with that guidance?

18 A. I have no reason to believe they are not  
19 able to comply.

20 Q. Would it concern you if you heard that  
21 some counties were not able to arrange the BMDs in  
22 their polling places such as that ballot secrecy was  
23 preserved for every voter?

24 A. I think that they need to come up with a  
25 way to use their systems in a way that preserves the

1     secrecy of the ballot. Whether or not they use the  
2     specific guidance presented by the Secretary of  
3     State's office or find an alternative -- alternative  
4     arrangement.

5           Q.     And what would some alternative  
6     arrangements be?

7           MR. MILLER:   Objection.   Calls for  
8     speculation.

9           THE WITNESS:   I can't think of any  
10     specific examples off the top of my head. I  
11     have not been involved in the arrangement of  
12     voting machines before.

13   BY MS. ELSON:

14           Q.     Have you discussed ballot secrecy with  
15     other State Election Board members?

16           A.     I am sure that this issue has come up in  
17     the context of State Election Board meetings.

18           Q.     Can you recall what you discussed?

19           A.     The need to maintain the secrecy of the  
20     ballot and that has been discussed.

21           Q.     Do you know how poll workers are trained  
22     in Georgia?

23           MR. MILLER:   Objection.   Relevance.

24           THE WITNESS:   I know that poll worker  
25     training is required, but I don't have specific

1 knowledge regarding that training. It's done  
2 at the local level, is my understanding.

3 BY MS. ELSON:

4 Q. So the -- just to confirm, the  
5 State Election Board isn't involved at all in  
6 deciding how poll workers should be trained?

7 MR. MILLER: Same objection.

8 THE WITNESS: I don't remember an example  
9 where the State Election Board was involved in  
10 poll worker training.

11 BY MS. ELSON:

12 Q. Okay.

13 A. There may very well be  
14 State Election Board rules that address training.

15 Q. Are poll workers in Georgia trained to  
16 operate BMDs?

17 MR. MILLER: Objection. Lack of  
18 foundation. Relevance.

19 THE WITNESS: I have never participated in  
20 poll worker training, so I don't know what the  
21 specifics of their training is.

22 BY MS. ELSON:

23 Q. Have you heard any complaints from voters  
24 that their poll worker was unable to help them  
25 because the poll worker didn't know how to deal with

1 the machine?

2 A. I don't remember any specific complaint  
3 regarding that.

4 Q. Have you heard any complaints from voters  
5 about the BMD machines not working?

6 A. I -- I don't recall any specific exam- --  
7 I mean, a specific complaint regarding a specific  
8 instant about a marking device not working, no.

9 Q. Have voters complained to you in general  
10 about the ballot marking devices?

11 A. We know that voters have complained about  
12 the use of ballot marking devices. I think that  
13 we've already discussed this.

14 Q. In your experience, what happens to  
15 machines at polling places that don't appear to be  
16 working?

17 MR. MILLER: Object to form.

18 THE WITNESS: I don't know what you mean  
19 by "don't appear to be working," but if they go  
20 through logic and accuracy testing, if there is  
21 a problem, it's my understanding that they are  
22 taken out of commission and not used for voting  
23 until they are working properly.

24 BY MS. ELSON:

25 Q. Is it important to you as a

1 State Election Board that every county in Georgia  
2 has sufficient election equipment for all voters who  
3 want to to cast a ballot?

4 MR. MILLER: Objection. Relevance.

5 THE WITNESS: I think that what is  
6 sufficient is a subjective question, but, yes,  
7 it is important that they all have a number of  
8 voting machines so that every voter can vote  
9 without waiting in extraordinarily long lines.

10 BY MS. ELSON:

11 Q. Have voters or counties made public  
12 comm- -- comment about not having had enough  
13 equipment in past elections?

14 MR. MILLER: Objection. Relevance.

15 THE WITNESS: I don't recall any specific  
16 examples.

17 BY MS. ELSON:

18 Q. I'm going to introduce one more document.  
19 Bear with me for one moment.

20 (Plaintiffs' Exhibit 2 was marked for  
21 identification.)

22 BY MS. ELSON:

23 Q. All right. If you wouldn't mind  
24 refreshing your screen and confirming with me once  
25 you're able to see Exhibit No. 2, I believe. Yes.

1           A.    I see it.

2           Q.    Okay. And the first page of this document  
3 states that this is a transcript from the  
4 State Election Board hearing on January 22, 2020;  
5 correct?

6           A.    Yes.

7           Q.    And if you scroll to page 2, you can see  
8 that your name, Rebecca Sullivan, is listed as being  
9 present; correct?

10          A.    Correct.

11          Q.    Do you recall being present at this  
12 meeting?

13          A.    I have to look at the document. I don't  
14 recall what this meeting is. Yeah, I don't recall  
15 this specific meeting, but I have no reason to  
16 believe I was not there.

17          Q.    Okay. I'm going to apologize in advance  
18 for the clicking required, but if you could scroll  
19 to page 7, please, and just let me know when you're  
20 there.

21          A.    Sorry. I'm not familiar with this  
22 computer and how it all works. Okay. I'm on  
23 page 7.

24          Q.    Okay. No apology necessary.

25                At the bottom of page 7, do you see where






1 Mr. Woodall's public comment begins?

2 A. Yes.

3 Q. And he states that he's the president of  
4 the Georgia NAACP --

5 A. Yes.

6 Q. -- and a resident of Atlanta?

7 If you could scroll to the next page,  
8 page 8, in the middle of the middle paragraph on  
9 page 8, do you see where Mr. Woodall comments that  
10 "  
11   
12   
13   
14 "?

15 A. Yes, I do see that.

16 Q. Do you have any reason to believe that  
17 Mr. Woodall was not telling the truth here?

18 MR. MILLER: Objection. Relevance.

19 THE WITNESS: I don't -- I don't know -- I  
20 mean, I don't have any reason to believe that  
21 he was lying. I don't know -- have any reason  
22 to believe he has personal information  
23 regarding specific county receipt of voting  
24 machines.  
25

1 BY MS. ELSON:

2 Q. Were you concerned when you heard this  
3 comment?

4 MR. MILLER: Objection. Relevance.

5 THE WITNESS: I don't remember this  
6 comment being made.

7 BY MS. ELSON:

8 Q. Did the State Election Board take any  
9 action in response to this comment that "[REDACTED]  
10 [REDACTED]  
11 [REDACTED]"?

12 MR. MILLER: Objection to form and  
13 relevance.

14 THE WITNESS: I do not recall any specific  
15 action. I do know that there was a intensive  
16 effort by the Secretary of State's office to  
17 make sure that all counties got the machines  
18 that they needed in time and had the training  
19 necessary. And this is -- would be a part of  
20 the initial rollout of the BMDs, I think.

21 BY MS. ELSON:

22 Q. Okay. Has the Secretary of State's office  
23 conducted -- taken any action since the BMDs were  
24 initially rolled out to ensure adequate information  
25 and training necessary?



1           MR. MILLER: Objection. Relevance. Lack  
2           of foundation.

3           THE WITNESS: I don't know what the  
4           Secretary of State's office has done  
5           specifically with regard to equipment since the  
6           initial rollout.

7 BY MS. ELSON:

8           Q. Okay. All right. We can put that exhibit  
9           aside.

10           We talked a bit about ballot secrecy  
11           earlier.

12           Is the State Election Board initiating any  
13           proposals for the general assembly to improve ballot  
14           secrecy?

15           MR. MILLER: Objection to form.

16           THE WITNESS: Not that I'm aware of.

17 BY MS. ELSON:

18           Q. Do you plan to initiate any proposals for  
19           the general assembly to improve ballot secrecy in  
20           the future?

21           MR. MILLER: Same objection.

22           THE WITNESS: I don't have any immediate  
23           plans to make a proposal to the Georgia General  
24           Assembly regarding the elections.

25

1 BY MS. ELSON:

2 Q. Is the State Election Board initiating any  
3 proposals for the general assembly to improve  
4 election security of Georgia's current election  
5 system?

6 MR. MILLER: Objection to form and  
7 relevance.

8 THE WITNESS: I think I just answered the  
9 question that we -- I am not proposing --  
10 preparing to propose any recommendations to the  
11 general assembly for the next legislative  
12 session regarding any aspect of elections. I  
13 cannot speak on behalf of the other members of  
14 the State Election Board or the Secretary of  
15 State's office.

16 BY MS. ELSON:

17 Q. As a member of the State Election Board,  
18 do you consider it your responsibility to ensure  
19 that the election system is run in a way that  
20 ensures elections are legal and secure?

21 MR. MILLER: Object to form and relevance.

22 THE WITNESS: Elections are actually run  
23 at the local level by election superintendents,  
24 and I think there's a shared responsibility by  
25 everyone involved in elections to make sure

1           that elections are as safe as they can be in  
2           the state of Georgia.

3   BY MS. ELSON:

4           Q.    So it's your testimony that both local  
5   precincts and the State Election Board had the  
6   responsibility to ensure --

7           A.    I would say --

8           MR. MILLER:  Objection.  Misstates.

9           THE WITNESS:  I would say that each party  
10   that had -- that plays a role in elections has  
11   their own responsibilities, specific -- has  
12   that responsibility -- I'm having a hard time  
13   articulating what I'm trying to say here.

14           But within their own role, they have a job  
15   to make sure that elections are safe and secure  
16   to the extent it pertains to their role.

17           MS. ELSON:  Do you want to take a  
18   five-minute break?  I think those are all the  
19   questions I have for you but --

20           THE WITNESS:  Sure.

21           MS. ELSON:  -- we can break for -- maybe  
22   until 3:46 and then come back.

23           THE WITNESS:  Okay.

24           VIDEOGRAPHER:  Okay.  Off record at 3:42.

25           (Off the record.)

1 VIDEOGRAPHER: We're back on the record at  
2 3:48.

3 MS. ELSON: So those are all the questions  
4 I have for you, Ms. Sullivan, and I understand  
5 your counsel doesn't have any more questions  
6 for you either.

7 MR. MILLER: We do not. We will just go  
8 ahead and reserve Ms. Sullivan's right to  
9 review and sign the transcript, but other than  
10 that, we're -- we're all set.

11 VIDEOGRAPHER: Okay. If nothing further,  
12 then we'll conclude the deposition. The time  
13 is 3:48 and we're off the record.

14 (Deposition concluded at 3:48 p.m.)

15 (Pursuant to Rule 30(e) of the Federal  
16 Rules of Civil Procedure and/or O.C.G.A.  
17 9-11-30(e), signature of the witness has been  
18 reserved.)

19

20

21

22

23

24

25

C E R T I F I C A T E

STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing pages represent a true, complete, and correct transcript of the evidence given upon said hearing, and I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.



LEE ANN BARNES, CCR B-1852, RPR, CRR, CRC

## COURT REPORTER DISCLOSURE

Pursuant to Article 10.B. of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia which states: "Each court reporter shall tender a disclosure form at the time of the taking of the deposition stating the arrangements made for the reporting services of the certified court reporter, by the certified court reporter, the court reporter's employer, or the referral source for the deposition, with any party to the litigation, counsel to the parties or other entity. Such form shall be attached to the deposition transcript," I make the following disclosure:

I am a Georgia Certified Court Reporter. I am here as a representative of Veritext Legal Solutions. Veritext Legal Solutions was contacted to provide court reporting services for the deposition. Veritext Legal Solutions will not be taking this deposition under any contract that is prohibited by O.C.G.A. 9-11-28 (c).

Veritext Legal Solutions has no contract/agreement to provide reporting services with any party to the case, any counsel in the case, or any reporter or reporting agency from whom a referral might have been made to cover this deposition. Veritext Legal Solutions will charge its usual and customary rates to all parties in the case, and a financial discount will not be given to any party to this litigation.



LEE ANN BARNES, CCR B-1852B, RPR, CRR, CRC

1 Carey Miller, Esqurie

2 carey.miller@robbinsfirm.com

3 November 19, 2021

4 RE: Curling, Donna v. Raffensperger, Brad

5 11/5/2021, Rebecca Sullivan (#4880381)

6 The above-referenced transcript is available for  
7 review.

8 Within the applicable timeframe, the witness should  
9 read the testimony to verify its accuracy. If there are  
10 any changes, the witness should note those with the  
11 reason, on the attached Errata Sheet.

12 The witness should sign the Acknowledgment of  
13 Deponent and Errata and return to the deposing attorney.  
14 Copies should be sent to all counsel, and to Veritext at  
15 erratas-cs@veritext.com

16

17 Return completed errata within 30 days from  
18 receipt of transcript.

19 If the witness fails to do so within the time  
20 allotted, the transcript may be used as if signed.

21

22 Yours,

23 Veritext Legal Solutions

24

25

1 Curling, Donna v. Raffensperger, Brad

2 Rebecca Sullivan (#4880381)

3 E R R A T A S H E E T

4 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ CHANGE \_\_\_\_\_

5 \_\_\_\_\_

6 REASON \_\_\_\_\_

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9 REASON \_\_\_\_\_

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12 REASON \_\_\_\_\_

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21 REASON \_\_\_\_\_

22 \_\_\_\_\_

23 \_\_\_\_\_

24 Rebecca Sullivan Date

25



1 Curling, Donna v. Raffensperger, Brad  
2 Rebecca Sullivan (#4880381)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Rebecca Sullivan, do hereby declare that I  
5 have read the foregoing transcript, I have made any  
6 corrections, additions, or changes I deemed necessary as  
7 noted above to be appended hereto, and that the same is  
8 a true, correct and complete transcript of the testimony  
9 given by me.

10

11

12 \_\_\_\_\_  
Rebecca Sullivan Date

13 \*If notary is required

14

SUBSCRIBED AND SWORN TO BEFORE ME THIS

15

\_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

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NOTARY PUBLIC

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